

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CHICAGO & VICINITY LABORERS' DISTRICT  
COUNCIL PENSION FUND AND CHICAGO &  
VICINITY LABORERS' DISTRICT COUNCIL  
HEALTH & WELFARE FUND, AND CATHERINE  
WENSKUS, ADMINISTRATOR,

Plaintiffs,

v.

ALLIANZ GLOBAL INVESTORS U.S. LLC, *et al.*,

Defendants.

No. 20 Civ. 9478 (KPF)

**STIPULATION AND ORDER CONCERNING VOLUNTARY DISMISSAL  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)**

WHEREAS, the Court entered Civil Case Management Plan # 1 (the "CMP") on December 7, 2020 (ECF No. 46), which provided for the voluntary dismissal and tolling of claims against certain Defendants.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

1. Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiffs the Chicago & Vicinity Laborers' District Council Pension Fund and the Chicago & Vicinity Laborers' District Council Health & Welfare Fund (collectively, "Chicago Laborers"), and Catherine Wenskus, Administrator of the Chicago Laborers (together with Chicago Laborers, "Plaintiffs"), by and through the undersigned counsel, hereby voluntarily dismiss all claims against Defendants Allianz Global Investors U.S. Holdings LLC, Allianz SE, Allianz Asset Management GmbH, Allianz of America, Inc., Allianz Asset Management of America Holdings Inc., Allianz Asset Management of America LLC, Allianz Asset Management of America LP, and PFP Holdings Inc. (collectively,

the “Affiliate Defendants,” and together with Plaintiffs, the “Parties”) without prejudice to their inclusion at a later time.

2. The Parties agree that, to the extent permitted by applicable law, any statute of limitations, statute of repose, or other time-related defenses or claims shall be tolled as to the Affiliate Defendants as if the claims were filed on November 12, 2020, the filing date of the Complaint (ECF No. 1) until December 7, 2021, one year from the date of entry of the CMP entered by the Court on December 7, 2020 (ECF No. 46) (the “Tolling Period”).

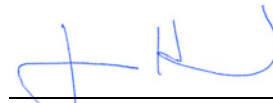
3. The Parties shall meet and confer no later than 30 days prior to the end of the Tolling Period to discuss extending the Tolling Period on mutual consent.

4. The Affiliate Defendants agree that they will not oppose an amendment under Federal Rule of Civil Procedure 15 asserting claims against the Affiliate Defendants as defendants or including any allegations relating to the Affiliate Defendants. The Affiliate Defendants reserve all of their rights and defenses in the event an amended complaint asserting such claims is filed, including the right to move to dismiss the complaint.

5. The voluntary dismissal of the Affiliate Defendants is further subject to the provisions for tolling of these dismissed claims and other terms and conditions set forth in Paragraph 4 of the CMP.

Dated: December 10, 2020

Respectfully submitted,



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Health & Welfare Fund and Catherine Wenskus,  
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*Counsel for the Affiliate Defendants*

IT IS SO ORDERED at New York, New York on this <sup>11</sup> day of <sup>December</sup>, 2020.

SO ORDERED:



Katherine Polk Failla  
United States District Judge